

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**SB 2316 - HB 2464**

February 11, 2018

**SUMMARY OF BILL:** Authorizes a convicted felon to possess a handgun if the person has been pardoned, had the conviction expunged, or had the person's rights restored.

Limits unlawful possession of a firearm to persons convicted of a felony crime of violence or a felony involving a deadly weapon, rather than a felony involving the use of force, violence, or a deadly weapon.

Authorizes current or former members of the Army National Guard, Army Reserve, Navy Reserve, Marine Corps Reserve, Air National Guard, Air Force Reserve, or Coast Guard Reserve to apply for a handgun carry permit if the person is over 18 years of age and has successfully completed basic training.

**ESTIMATED FISCAL IMPACT:**

**Increase State Revenue – Exceeds \$5,300/TBI**  
**Exceeds \$15,200/Handgun Permit Division**

**Decrease State Expenditures – \$165,900 Incarceration**

**Increase Local Revenue – Exceeds \$1,500/Sheriffs**

**Assumptions:**

- The proposed legislation narrows the offense of unlawful possession of a firearm by allowing persons convicted of felony involving the use of force to legally possess a firearm.
- Statistics from the Department of Correction (DOC) show an average of 40 admissions per year under Tenn. Code Ann. § 39-17-1307 for unlawful possession of a firearm.
- The proposed legislation will result in one fewer admission per year.
- An offense under Tenn. Code Ann. § 39-17-1307(b)(1)(A) is a class B felony.
- The average time served for a class B felony is 6.39 years (2,333.95 days).
- According to the DOC, the average operating cost per offender per day for calendar year 2018 is \$71.08.
- The proposed legislation will decrease state incarceration costs by \$165,897 (\$71.08 x 2,333.95 days).

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- The proposed legislation authorizes convicted felons to receive a handgun carry permit if they have been pardoned, have had the conviction expunged, or have had their rights restored. The proposed legislation also authorizes person over 18 years of age to receive a handgun carry permit if they are a current or former member of the National Guard or an armed forces reservist.
- The proposed legislation will increase the number of handgun carry permits each year. At least 100 additional handgun permits will be applied for and issued each year.
- An applicant for an initial lifetime handgun carry permit must pay a \$200 fee in addition to the \$100 general application fee applicable to standard handgun carry permits.
- It is assumed 60 percent (or 60 applicants) will choose to get an initial lifetime carry permit. It is assumed 40 percent (40 applicants) will choose to get a standard handgun carry permit.
- The \$200 fee remains with the Handgun Permit Division of the Department of Safety.
- The \$100 fee is distributed as follows:
  - TBI – \$15 for their Automated Fingerprint Identification System (AFIS); \$38 to run a background check, for a total of \$53;
  - Local Sheriff – \$15 to run a background check; and
  - Department of Safety – \$32 to the Handgun Permit Division.
- The bill will increase recurring state and local revenue by at least the following amounts:
  - TBI – \$5,300 (\$53 x 100 petitioners);
  - Sheriffs – \$1,500 (\$15 x 100 petitioners); and
  - Handgun Permit Division – \$15,200 [(\$232 x 60 petitioners) + (\$32 x 40 petitioners)].

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

/trm